

REMARKS

Receipt of the Office Action of April 18, 2005 is gratefully acknowledged. It is noted with appreciation that the finality of the rejections made in the Office Action of October 13, 2004 has been withdrawn, and that the status of this Office Action is not final.

Claims 1 - 4, 6 and 8 have been re-examined, and rejected as follows: claims 1, 3 and 6 have been rejected as anticipated by Vander Heyden under 35 USC 102(b); and claims 2, 4 and 8 have been rejected as unpatentable under 35 USC 103(a) by Vander Heyden in view of Fletcher-Haynes.

In applying Vander Heyden, the examiner refers to Fig. 1 of Vander Heyden and suggests that the circuit elements of claim 1, for example, are met by the elements of the circuit of Fig. 1. Applicants cannot agree. For example, it is respectfully submitted that the output of generator 12 of Fig. 1 *does not* produce "an output signal proportional to the signal of the signal processing unit," and that "col. 9, lines 23-24" of Vander Heyden does not support such an assertion. The generator 12 is a pulse generator, whereas the claimed generator produces a signal which is proportional to the signal of the processing unit 11. These generators are not the same. Accordingly, Vander Heyden cannot anticipate claim 1 or claim 6, because at least one element recited in these claims is missing from Vander Heyden, both expressly and inherently.


Regarding claim 2, the recited communications interface requires more than a keyboard, and that is the only reason Fletcher-Haynes is cited by the examiner. Combining Fletcher-Haynes with Vander Heyden does not yield a flowmeter with the claimed output signal generator nor with the communications

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interface.

The examiner is urged to reconsider both rejections and issue a finding that claims 1 - 4, 6 and 8 are allowed.

Respectfully submitted,



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